Environmental Impact Assessment Guidelines

Alberta

86-02214/

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Environmental Impact Assessment Guidelines

Approved by the Minister of the Environment
December, 1985

Alberta
ENVIRONMENT

Environmental Impact Assessment Guidelines

General

The following guidelines are to assist proponents of proposed developments who have been requested by the Minister of the Environment to prepare and submit an Environmental Impact Assessment report. The purpose of an EIA is to provide information to the public and the Government of Alberta to enable the early identification and resolution of significant adverse effects on the environment.

Legislation

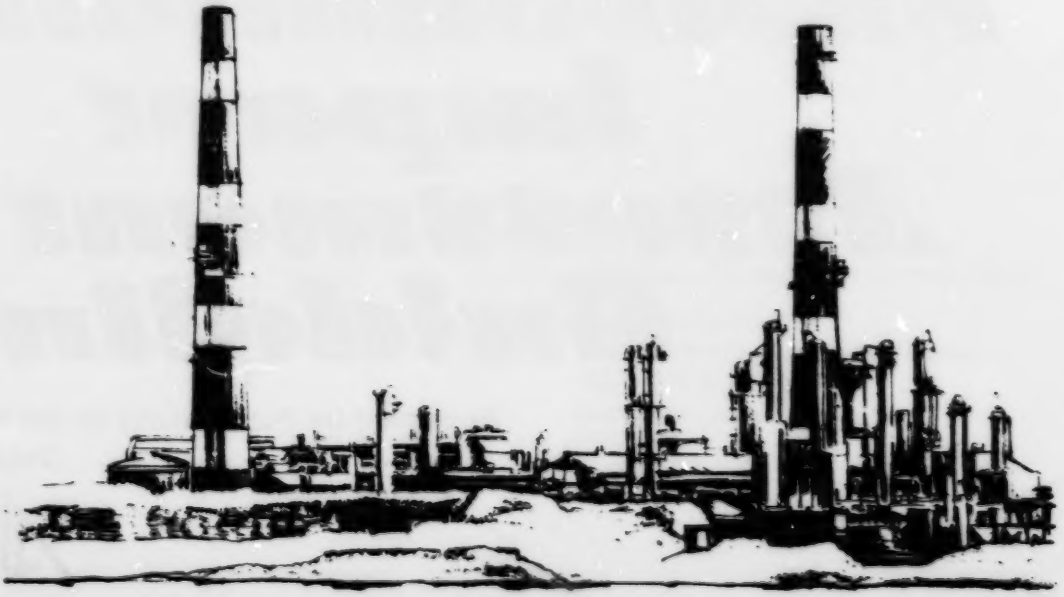
The Land Surface Conservation and Reclamation Act authorizes the Minister of the Environment to order the preparation and submission of reports assessing the environmental impacts of proposed developments.

Environmental Impact Assessment (EIA) reports are to be prepared and submitted in accordance with these procedural guidelines. (See Appendix A.)

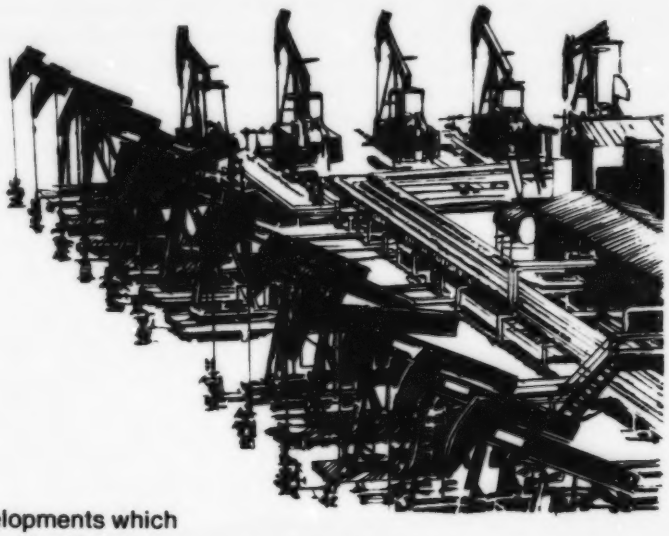
Projects Requiring EIA's

Alberta Environment requires EIA's on most major resource developments proposed in the province. At present, the following types of new developments may be subject to this requirement:

- major sour gas processing plants
- major underground or surface coal mining projects
- hydro and thermal power plants
- oil sands mining projects and associated processing facilities
- in-situ oil sands projects
- large scale industrial facilities requiring industrial development permits
- major pipelines
- major transmission lines
- major recreation developments and
- major water resources projects.



Planning



Proponents of developments which are likely to result in significant environmental impact are required to contact Alberta Environment as early as possible in their project planning. The Department then begins a process to determine if it is in the public interest to require an EIA of the proposed development.

Discussions are held between the proponent, government departments or agencies and the public regarding the size, general location and type of development proposed and possible environmental impacts. Energy projects needing approval of the Energy Resources Conservation Board (ERCB) may involve meetings of staff from that agency, Alberta Environment and the proponent to exchange information about the nature of the proposal and regulatory requirements.

It is the proponent's responsibility to seek clarification from Alberta Environment whether an EIA report will be required for a project. Failure to do so early in the project planning stage may result in unnecessary delays.

Decision To Require An EIA

When it is in the public interest the Minister may, pursuant to Section 8 of The Land Surface Conservation and Reclamation Act, issue to a proponent a Ministerial Order requiring an EIA. A separate Ministerial Order is issued in each case where such a requirement is found to be necessary.

After reviewing the proposal, the Department may conclude that the anticipated environmental effects are not significant enough to warrant an EIA. However, the proponent is still responsible for submitting environmental information in support of applications for permits pursuant to specific environmental legislation such as The Clean Air Act or The Clean Water Act.

Environmental Impact Assessment Guidelines

Notice

When an EIA report has been ordered by the Minister, the proponent is required to publish a notice, in a manner satisfactory to Alberta Environment, advising the public of the requirement.

Approach

Proponents are required to file with the Environmental Assessment Division an outline of the approach to be used in preparing the EIA. This outline reflects the proponent's interpretation of the necessary requirements for the proposal, based on discussions with Alberta Environment, the ERCB, other government departments and agencies and the public. The outline should include a table of contents, an overview of the approach to be used in data collection and analysis and a program design for public participation.

Scope

The EIA report contains an assessment of the impact of the proposed development on the human and physical environment and includes proposals to avoid or lessen adverse effects.

Concerns normally addressed include:

- conservation, management and utilization of natural resources, i.e., land, air, water and plant and animal life;
- prevention and control of pollution of natural resources;
- prevention of noise and control of noise levels resulting from the operation or activity;
- economic factors that directly or indirectly affect the ability of the applicant to carry out the above measures;
- preservation of natural resources for their aesthetic value;
- health and safety, and
- effects on social, economic and cultural conditions in the community.

The scope of environmental information and level of detail required in an EIA must reflect the project's size, location and other factors. Guidelines for particular types of projects contain specific information requirements. (See Appendix B.)

A description of the development, at least in a pre-design level of detail, is necessary to identify potential environmental effects. Detailed engineering specifications are not required until the permitting stage, after the proposed development has been the subject of an environmental review.

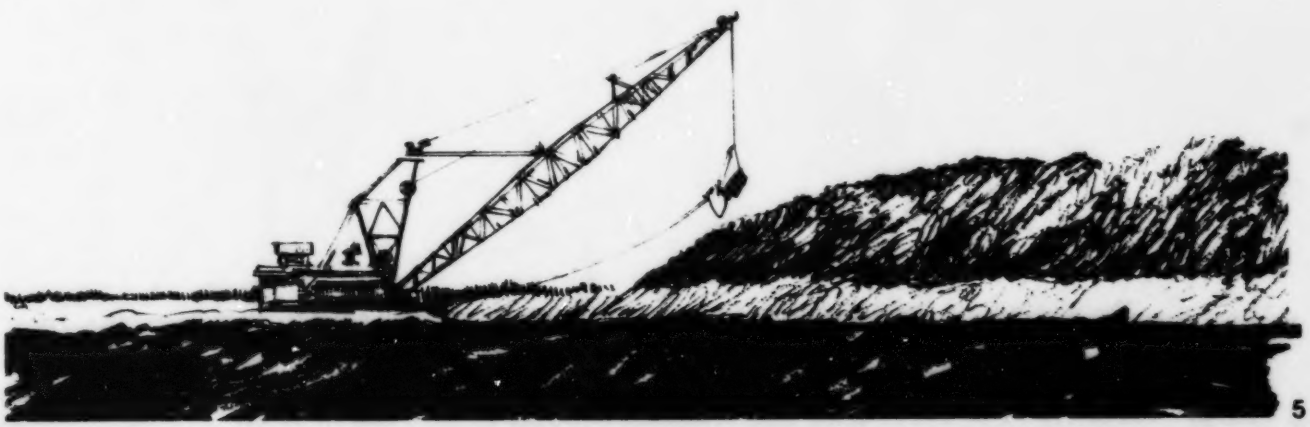
Identification of the environmental implications of a proposed development requires a description of the existing environment. This is derived from available data and supported where necessary by field reconnaissance. Detailed field surveys should not be initiated until it is apparent that there is a need to do so.

The EIA report must contain an identification of possible impacts, an analysis of their significance and an environmental protection plan to mitigate any adverse effects. The report must also identify those adverse environmental impacts that cannot be satisfactorily resolved and an analysis of their implications.

Descriptions of the development and existing environmental conditions are important to the degree that they assist in identifying impacts and developing specific mitigating measures. The reason for identifying and placing in perspective the possible environmental impacts of a proposed development is to develop strategies to avoid or mitigate adverse impacts or to identify those which are unavoidable.

It is the mitigative measures included in the development and the trade-offs involved in proceeding with the proposal that are of importance to the public and the government.

Discussions will be held with the proponent to review the scope and content proposed for the EIA, to exchange information about the nature of the project and anticipated impacts and to initiate consultation with government departments and the public. The proponent may be required to outline to the public the approach proposed for the report's preparation, including its scope and methodology, provisions for community involvement and relationship of the EIA to project planning and subsequent approvals.



Environmental Impact Assessment Guidelines

Types of EIA

Alberta Environment will determine which of the following types of EIA are required:

Comprehensive
The anticipated environmental effects are known and considered significant enough to warrant a comprehensive and in-depth report.

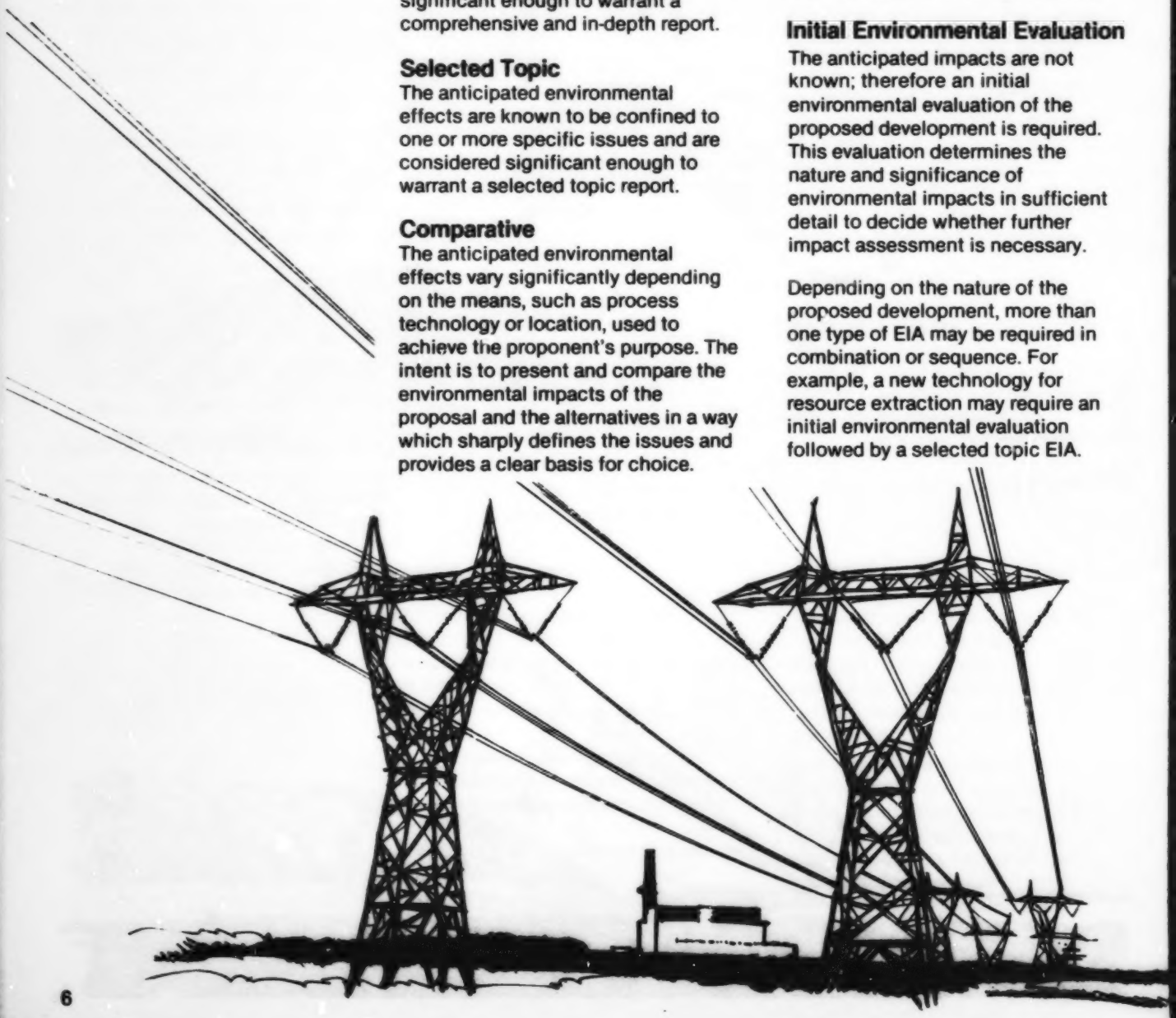
Selected Topic
The anticipated environmental effects are known to be confined to one or more specific issues and are considered significant enough to warrant a selected topic report.

Comparative
The anticipated environmental effects vary significantly depending on the means, such as process technology or location, used to achieve the proponent's purpose. The intent is to present and compare the environmental impacts of the proposal and the alternatives in a way which sharply defines the issues and provides a clear basis for choice.

With and Without Project
The anticipated environmental effects are likely to be so severe that there must be an evaluation of the environmental impacts of proceeding with the proposed development and the implications of not proceeding.

Initial Environmental Evaluation
The anticipated impacts are not known; therefore an initial environmental evaluation of the proposed development is required. This evaluation determines the nature and significance of environmental impacts in sufficient detail to decide whether further impact assessment is necessary.

Depending on the nature of the proposed development, more than one type of EIA may be required in combination or sequence. For example, a new technology for resource extraction may require an initial environmental evaluation followed by a selected topic EIA.



Public Participation

The process which has evolved in Alberta for the preparation of EIA reports places importance on interaction between proponents, relevant government agencies and the public.

Proponents are expected to maintain direct contact with appropriate agencies during the preparation of the report. They are also required to include in the EIA process the people who would be affected by a proposed development.

The purpose of public involvement is to exchange information so that the public and proponent are able to identify potential impacts and concerns. They can then assess their significance to the community and evaluate the alternatives and potential gains and losses of proceeding with a development.

Proponents of projects requiring EIA's are encouraged to determine the public acceptability of their projects before presenting their reports to government. They must inform the public of the general nature of the proposed project, that an EIA will be prepared and the opportunities for public participation. As the assessment progresses the public should be kept informed of the concerns which are being addressed.

Proponents are encouraged to let the public review the EIA before submitting it to Alberta Environment. This opportunity ensures that the public's concerns have been appropriately addressed.

In some cases, proponents may be required to publish a notice saying where copies of the report are available for review and outlining the methods to be used to obtain public comment.

Environmental Impact Assessment Guidelines

Responsibility for Preparation

Proponents are responsible for preparing the reports and for all related costs. Government departments and agencies responsible for the construction and operation of capital works may be required to submit EIA reports in accordance with these guidelines.

Scope of EIA's

EIA's must concentrate on the issues that are significant to the proposal and the public. They should be concise, clear and supported by evidence that the necessary environmental analyses have been completed.

Adverse Impacts

The proponent has the responsibility to identify adverse environmental impacts that cannot be avoided or satisfactorily resolved by modifications in project design or location or other mitigative measures. The implications of these impacts must be analyzed in terms of trade-offs involved and alternatives considered since these will be of particular concern to the public and government when reviewing the report.

Review

Proponents are required to file their impact assessments with the Director of the Environmental Assessment Division. Upon receipt, this Division initiates a two part review. The first part of the review determines the degree of conformity with these guidelines and direction received from Alberta Environment, to determine any deficiencies in the EIA. The second part evaluates the technical and scientific information contained in the document. The review process provides for interdepartmental and multidisciplinary review of impacts and mitigating measures identified by the proponent. Proponents must provide sufficient information to evaluate the significance of impact on air quality, water quality and use, land reclamation and other environmental conservation matters.

Hearings

EIA's on energy projects requiring ERCB approval are to be filed with Alberta Environment and with the ERCB as part of the application. The public has an opportunity to express its views on the environmental implications of proposed energy developments at ERCB public hearings.

Ministerial Approvals

Several statutes administered by the ERCB require approval, by the Minister of the Environment, of applications as they affect matters of the environment. Legislative provisions for Ministerial Approvals are given in Appendix C.

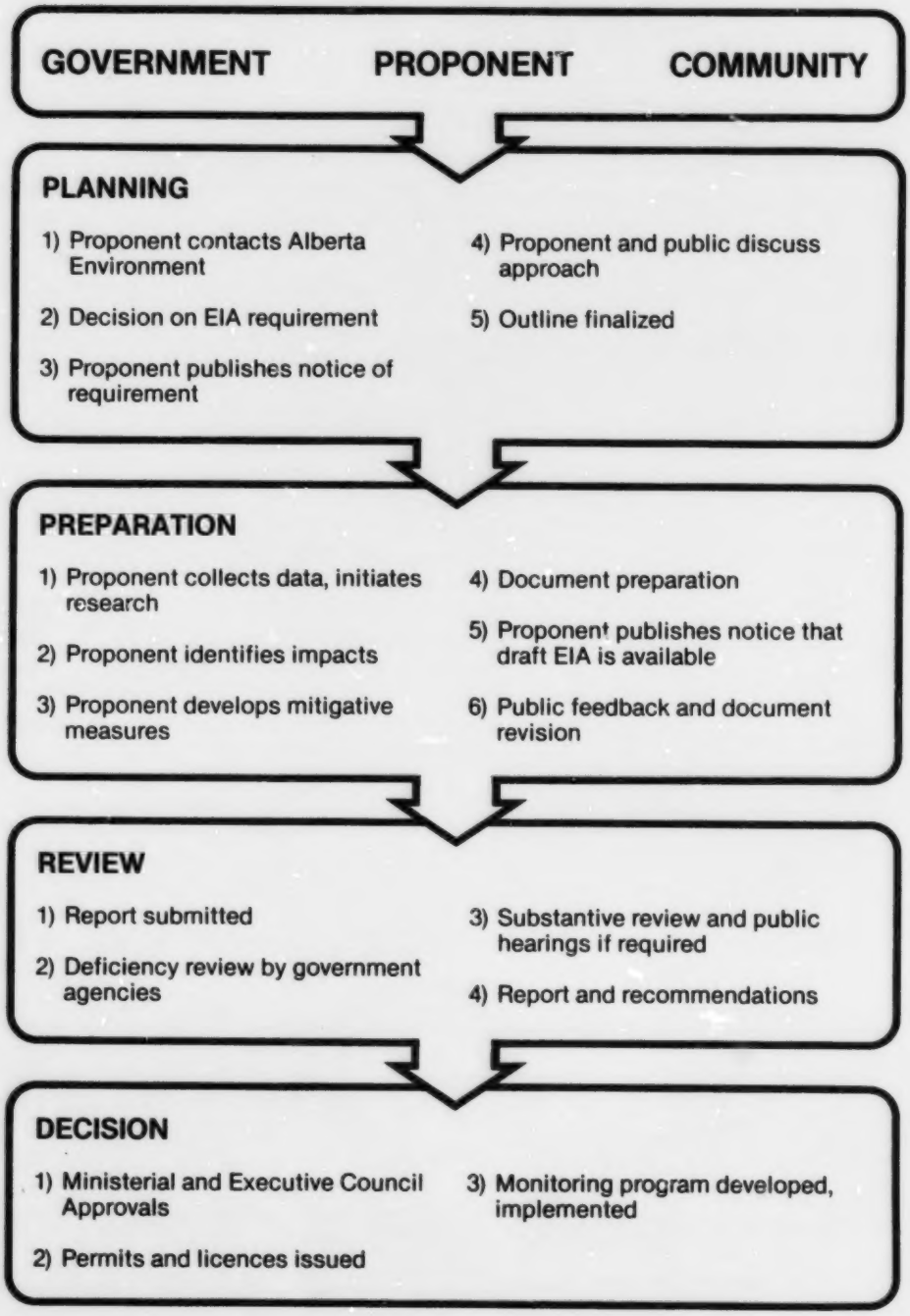
Permits and Licences

The Ministerial Approval indicates that a project is generally acceptable from an environmental perspective. Alberta Environment, on the basis of the detailed environmental features of the project, establishes the terms and conditions of permits and licences which are required by legislation. A proposed development is not considered to be environmentally acceptable until the requisite permits and licences are issued.

The environmental impact assessment process does not in itself constitute approval or permission to proceed with a development, nor does it replace any of the responsibilities of proponents under present legislation.

Proponents must obtain necessary resource use approvals such as are required under The Coal Conservation Act, The Forest Act and The Water Resources Act; surface rights approval from private land owners or the government under The Public Lands Act; planning approval under The Planning Act; and environmental approvals under The Clean Air Act, The Clean Water Act and The Land Surface Conservation and Reclamation Act.

The EIA Process


GOVERNMENT
PROPONENT
COMMUNITY
PLANNING
1) Proponent contacts Alberta Environment
2) Decision on EIA requirement
3) Proponent publishes notice of requirement
4) Proponent and public discuss approach
5) Outline finalized
PREPARATION
1) Proponent collects data, initiates research
2) Proponent identifies impacts
3) Proponent develops mitigative measures
4) Document preparation
5) Proponent publishes notice that draft EIA is available
6) Public feedback and document revision
REVIEW
1) Report submitted
2) Deficiency review by government agencies
3) Substantive review and public hearings if required
4) Report and recommendations
DECISION
1) Ministerial and Executive Council Approvals
2) Permits and licences issued
3) Monitoring program developed, implemented

APPENDIX A

THE LAND SURFACE CONSERVATION AND RECLAMATION ACT (CHAPTER L-3, REVISED STATUTES OF ALBERTA, 1980) WITH AMENDMENTS TO JUNE, 1985

8. (1) Where any person proposes to undertake any operation or activity and, in the opinion of the Minister, the operation or activity will result or is likely to result in surface disturbance, the Minister may order that person to prepare and submit to the Minister within the time prescribed in the order, a report containing an assessment of the environmental impact of the proposed operation or activity where the Minister considers it in the public interest to do so.

(2) An order of the Minister under subsection (1) may require that the report contain an assessment of the impact of the proposed operation or activity on all or any of the following, namely,

(a) the conservation, management and utilization of natural resources;
(b) the preservation and control of pollution of natural resources;
(c) the prevention of noise and control of noise levels resulting from the operation or activity insofar as they affect the environment in the vicinity of those operations or activities;
(d) the economic factors that directly or indirectly affect the ability of the applicant to carry out measures that relate to the matters referred to in clauses (a), (b), and (c);
(e) the preservation of natural resources for their aesthetic value.

(3) An order of the Minister under subsection (1) may require that the report show any alternative means by which the proposed operation or activity could be carried out.

(4) A report under subsection (1) shall be prepared and submitted in accordance with the regulations or, in the absence of regulations, in accordance with the directions of the Minister.

(5) This section applies whether or not the proposed operation or activity is the subject of an application for an approval under Part 2.

(6) Any person who fails to comply with an order of the Minister under this section is guilty of an offence.

APPENDIX B

PROJECT TYPE GUIDELINES

Alberta Environment and the ERCB have jointly issued the following project-type information guidelines respecting applications to the ERCB.

G-22 Guidelines Respecting an Application to Construct or Alter an Electric Transmission Line — 1981.

G-23 Guidelines Respecting an Application for a Commercial Crude Bitumen Recovery and Upgrading Project — 1981.

G-24 Pipeline Applications to the Energy Resources Conservation Board: A Guide to Content — 1981.

G-25 Industrial Development Permit Applications to the Energy Resources Conservation Board: A Guide to Content — 1981.

G-26 Sour Gas Processing Plant Applications to the Energy Resources Conservation Board: A Guide to Content — 1981.

G-28 Thermal Power Plant Applications to the Energy Resources Conservation Board: A Guide to Content — 1982.

Copies of these guidelines are available from:

Alberta Environment
Environmental Assessment Division
Oxbridge Place
9820 - 106 Street
EDMONTON, Alberta
T5K 2J6
Telephone: (403) 427-6209
Telex: 027-2006

OR

Maps and Publications
ERCB
640 - 5th Avenue S.W.
CALGARY, Alberta
T2P 3G4
Telephone: (403) 261-8311
Telex: 03-821717

Project type guidelines are being prepared for coal mining and processing operations.

APPENDIX C

MINISTERIAL APPROVALS

Legislative provisions pertaining to Ministerial Approvals are presented here for convenience only. The original Acts should be consulted for all purposes of interpreting and applying the law.

The Coal Conservation Act
- — Commencement of Operations
- — Operation and Abandonment of Coal Processing Plants

The Hydro and Electric Energy Act
- — Hydro Developments and Power Plants
- — Transmission Lines

The Oil and Gas Conservation Act
- — Conservation Projects

The Oil Sands Conservation Act

The Pipeline Act

The Coal Conservation Act
(Chapter C-14, Revised Statutes of Alberta, 1980)
With Amendments To June, 1985

Part 4
Development, Operation And Abandonment of Mines

Commencement of Operations

10. (1) No person shall

(a) in connection with an exploratory or experimental program for coal, drill holes to a depth in excess of 150 metres or develop an adit, tunnel, shaft or other excavation, or

(b) develop a mine site or mine,

without first applying for, and obtaining, a permit from the Board.

General

21. (1) Before the Board issues a permit or licence pursuant to this Part, it shall refer the application to the Minister of the Environment for his approval of the application as it affects matters of the environment.

(2) The Minister of the Environment may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or licence, make the permit or licence subject to the same conditions imposed by the Minister of the Environment when he gave his approval.

(2.1) Notwithstanding subsection (1), the Minister of the Environment may direct that

(a) an application, or

(b) a type of application,

for a permit or licence or an amendment of a permit or licence specified by him be not referred to him.

(2.2) The Minister of the Environment may authorize an employee of his department to exercise the powers conferred on him by this section.

(3) When an application is made under section 10(1)(b) with respect to a mine or proposed mine that is or will be capable of producing more than 45,000 tonnes of coal per year by normal operations, the Board shall not grant the permit unless the Lieutenant Governor in Council has first authorized the granting of the permit.

(4) The Lieutenant Governor in Council may make his authorization under subsection (3) subject to any terms and conditions he considers necessary or desirable.

Part 5

Operation and Abandonment Of Coal Processing Plants

23. (1) No person shall

(a) construct or begin operations at a new coal processing plant,

(b) resume operations at a previously shut-in or abandoned coal processing plant,

(c) resume normal operation at an extensively rebuilt, modified or re-equipped coal processing plant, or

(d) operate facilities directly connected with a coal processing plant,

without applying for, and obtaining, an approval from the Board.

24. (1) Before the Board issues an approval pursuant to this Part, it shall refer the application to the Minister of the Environment for his approval of the application as it affects matters of the environment.

(2) The Minister of the Environment may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it grants an approval, make its approval subject to the same conditions imposed by the Minister of the Environment when he gave his approval.

(2.1) Notwithstanding subsection (1), the Minister of the Environment may direct that

(a) an application, or

(b) a type of application.

for an approval or an amendment of an approval specified by him be not referred to him.

(2.2) The Minister of the Environment may authorize an employee of his department to exercise the powers conferred on him by this section.

(3) No approval relating to a coal processing plant capable of treating more than 45,000 tonnes of coal per year by normal continuous working shall be issued by the Board pursuant to this Part unless the Lieutenant Governor in Council has first authorized the issue of the approval.

(4) The Lieutenant Governor in Council may make his authorization under subsection (3) subject to any terms and conditions he considers necessary or desirable.

Hydro And Electric Energy Act
(Chapter H-13, Revised Statutes of Alberta)
With Amendments To June, 1985

Part 2
Hydro Developments, Power Plants And Transmission Lines

Hydro Developments and Power Plants

7. (1) No person shall construct a hydro development unless the Board, by order, has approved the construction of the hydro development in accordance with this section.

(2) When a person proposes to construct a hydro development, he shall apply to the Board for an order approving the construction of the hydro development.

(3) When the Board receives an application for an order approving the construction of a hydro development, the Board shall make any investigation, make any inquiry and hold any hearings it considers necessary or desirable in connection with the application.

(4) During any investigation, inquiry and hearing under subsection (3), the Board shall refer the application for an order for the construction of the hydro development to

(a) the Minister of the Environment, and

(b) the Minister of Energy and Natural Resources,

for their approval with respect to the application as it affects matters of the environment.

(5) The Minister of the Environment and the Minister of Energy and Natural Resources, or either of them, may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it approves the construction of the hydro development pursuant to subsection (10), make its order subject to the same conditions imposed by the Minister of the Environment or the Minister of Energy and Natural Resources, or both of them, when they gave their approval.

(6) The Board may, after making an investigation, inquiry and holding the hearings it considers necessary, refuse the application for an order of the Board for the construction of a hydro development.

(7) Subject to subsection (11), when the Board does not refuse an application to construct a hydro development it shall, after dealing with the matters mentioned in subsection (3) and (4), report on it to the Lieutenant Governor in Council.

(8) On a report being received by the Lieutenant Governor in Council, pursuant to subsection (7), the Executive Council shall cause a Bill to be prepared for the authorization of an order of the Board for construction of the hydro development by the Legislature.

(9) The Bill for the authorization of an order of the Board for the construction of the hydro development shall be introduced in the Legislative Assembly as soon as it has been prepared if the Assembly is then sitting and if not, in the next session following the preparation of the Bill.

(10) On a Bill for the authorization of an order of the Board for the construction of a hydro development receiving Royal Assent, the Board shall, by order, approve the construction of the hydro development but shall make its approval in accordance with subsection (5) and may make its approval subject to any other conditions that it is empowered to impose under this Act and the regulations.

(11) The Board shall not approve the construction of a hydro development unless there is an Act authorizing an order of the Board for the construction of the hydro development.

9. (1) No person shall construct or operate a power plant unless the Board, by order and with the authorization of the Lieutenant Governor in Council, has approved the construction and operation of the power plant.

(2) An authorization of the Lieutenant Governor in Council is not required under subsection (1) in respect of

(a) a power plant using a fossil fuel as its energy source or an addition to a power plant using fossil fuel as its energy source, if the power plant or addition will have a capacity of 15 megawatts or less, or

(b) an amendment of an approval that the Board considers to be of a minor nature and not warranting that authorization.

(3) Prior to the Board approving the construction and operation of the power plant, it shall refer the application to the Minister of the Environment for his approval of the application as it affects matters of the environment.

(4) The Lieutenant Governor in Council may make his authorization under subsection (1) subject to any terms and conditions he considers necessary or desirable.

(5) The Minister of the Environment may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it approves the construction and operation of the power plant, make its order subject to the same conditions imposed by the Minister of the Environment when he gave his approval.

Transmission Lines

12. (1) No person shall construct a transmission line or any part of a transmission line, or undertake any operations preparatory to the construction of a transmission line, unless he is the holder of a permit issued by the Board.

(2) No person shall make a significant extension or alteration of a transmission line unless the Board has amended his permit or issued a new permit to cover the extension or alteration.

(3) This section does not preclude a person proposing to apply for a permit or his agents from

(a) entering on any Crown or other land lying in the intended route of the transmission line to make surveys or examinations, or

(b) negotiating for the acquisition of interest in land that may be required for the transmission line.

13. (1) The Board shall refer an application for a permit or an amendment of a permit to

(a) the Minister of the Environment, and

(b) if Crown land is affected, the Associate Minister of Public Lands and Wildlife

for their approval of the application as it affects matters of the environment.

(2) The Minister of the Environment and the Associate Minister of Public Lands and Wildlife, or either of them, may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or an amendment of a permit, make the permit or amendment subject to the same conditions imposed by the Minister of the Environment or the Associate Minister of Public Lands and Wildlife, or both of them, when they gave their approval.

(3) Notwithstanding subsection (1), the Minister of the Environment or Associate Minister of Public Lands and Wildlife may direct that

(a) an application, or

(b) a type of application

for a permit or an amendment of a permit specified by him be not referred to him.

(4) The Minister of the Environment or the Associate Minister of Public Lands and Wildlife, as the case may be, may authorize an officer of his department to exercise the powers conferred on him by this section.

Oil and Gas Conservation Act
(Chapter 0-5, Revised Statutes of Alberta, 1980)
With Amendments To June, 1985.

Conservation Projects

26. (1) No scheme for

(a) enhanced recovery in any field or pool,

(b) the processing or underground storage of gas,

(c) the gathering, storage and disposal of water produced in conjunction with oil or gas,

(d) the storage or disposal of any fluid or other substance to an underground formation through a well,

(e) the concurrent production of an oil accumulation and its associated gas cap

shall be proceeded with unless the Board, by order, has approved the scheme on any terms and conditions that the Board prescribes.

(2) Prior to the Board approving a scheme under subsection (1)(b) or (d), it shall refer the application to the Minister of the Environment for his approval with respect to the application as it affects matters of the environment.

(3) The Minister of the Environment may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it approves the scheme, make its order subject to the same conditions imposed by the Minister of the Environment when he gave his approval.

(3.1) Notwithstanding subsection (2), the Minister of the Environment may direct that

(a) an application, or

(b) a type of application

for any approval of a scheme or an amendment of an approval specified by him be not referred to him.

(3.2) The Minister of the Environment may authorize an employee of his department to exercise the powers conferred on him by this section.

(4) Notwithstanding subsection (3), the Board is not required to impose the conditions specified by the Minister of the Environment when the Lieutenant Governor in Council directs that the conditions are not to be imposed.

Oil Sands Conservation Act
(Chapter 0-5.5 Statutes of Alberta, 1983)
With Amendments To June, 1985.

10. (1) No person shall

(a) construct facilities for a scheme or operation, or

(b) commence or continue a scheme or operation

for the recovery of oil sands or crude bitumen, unless the Board, on application, has granted an approval in respect of the scheme or operation.

11. (1) No person shall construct or operate a processing plant unless the Board has, on application, granted an approval in respect of the processing plant.

12. (1) The Board shall refer an application made under section 10 or 11 to

(a) the Minister of the Environment for his approval of the application as it affects matters of the environment, and

(b) the Associate Minister of Public Lands and Wildlife for his approval of the application as it affects land and resources that are the property of the Crown in right of Alberta.

(2) The Minister of the Environment and the Associate Minister of Public Lands and Wildlife, or either of them, may give their approval of the application with or without conditions, but where conditions are imposed, the Board shall, unless otherwise directed by the Lieutenant Governor in Council, make its approval, if it grants an approval, subject to the conditions imposed by the Minister of the Environment or the Associate Minister of

Public Lands and Wildlife, or both of them.

(3) Notwithstanding subsection (1), the Minister of the Environment or the Associate Minister of Public Lands and Wildlife may direct that

(a) an application, or

(b) a type of application

for an approval under section 10 or 11 or an amendment or type of amendment of an approval be not referred to him.

(4) The Minister of the Environment or the Associate Minister of Public Lands and Wildlife may authorize an employee of his department to exercise the powers conferred on him by this section.

13. (1) No crude bitumen, derivatives of crude bitumen, declared oil sands or oil sands products produced in Alberta shall be used in Alberta as a raw material or fuel in an industrial or manufacturing operation unless the Board, on application, has granted in accordance with this section an industrial development permit authorizing that use.

14. (1) The Board may, on application or its own motion, amend an approval granted under section 10 or 11 or a permit granted under section 13.

(2) The prior authorization of the Lieutenant Governor in Council is required in respect of an amendment under this section unless

(a) an authorization was not required in respect of the application under section 10, 11 or 13, as the case may be, or

(b) the amendment is, in the opinion of the Board, of a minor nature that does not warrant the authorization.

(3) The approval of the Minister of the Environment and the Associate Minister of Public Lands and Wildlife is required in respect of an amendment under this section unless an approval was not required in respect of the application under section 12.

(4) No change in the operator of an oil sands site has force or effect until the approval or permit has been amended to reflect the change.

Pipeline Act
(Chapter P-8, Revised Statutes of Alberta, 1980)
with Amendments To June, 1985

Part 4
Permits And Licences

7. (1) No person shall construct a pipeline or any part of a pipeline or undertake any operations preparatory or incidental to the construction of a pipeline unless he is the holder of a permit or unless he is acting pursuant to a direction of the Board under section 34 authorizing him to do so.

   (2) This section does not preclude a person proposing to apply for a permit or his agent from

   (a) entering on any Crown or other land lying in the intended route of the pipeline to make surveys or examinations, or

   (b) negotiating for the acquisition of interests in land that may be required for the pipeline.

8. (1) The Board shall refer an application for a permit or an amendment of a permit to the Minister of the Environment and the Minister of Energy and Natural Resources for their approval of the application as it affects matters of the environment.

   (2) The Minister of the Environment and the Minister of Energy and Natural Resources or either of them may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or an amendment of a permit, make the permit or amendment subject to the same conditions imposed by the Minister of the Environment or the Minister of Energy and Natural Resources, or both of them, in giving their approval.

   (3) Notwithstanding subsection (1), the Minister of the Environment or the Minister of Energy and Natural Resources may direct that an application for a permit or for an amendment of a permit for any pipeline or any type of pipeline specified by him be not referred to him.

   (4) The Minister of the Environment or the Minister of Energy and Natural Resources may authorize an officer of his department to exercise the powers conferred on him by this section.